

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

**MALIBU MEDIA, LLC,
Plaintiff,**

v.

**ALBERT BONDOC,
Defendant.**

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Case No. 1:18cv52

ORDER

On November 14, 2018, United States Magistrate Judge Ivan Davis entered a Report and Recommendation (“Report”) in this copyright infringement case, recommending that plaintiff’s motion for default judgment be denied. Specifically, Judge Davis found that plaintiff failed to serve the defendant in manner permitted by federal or state law.

Upon consideration of the record and Judge Davis’s Report, to which no objections have been filed, and having found no clear error,¹

The Court **ADOPTS**, as its own, the findings of fact and recommendations of the United States Magistrate Judge, as set forth in the Report (Doc. 37).

Accordingly,

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate’s report, the court “need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”).

It is hereby **ORDERED** that plaintiff's motion for default judgment (Doc. 33) is **DENIED**.

It is further **ORDERED** that this matter is **DISMISSED WITHOUT PREJUDICE** for failure to serve the defendant as required by Rule 4, Fed. R. Civ. P.

The Clerk is further directed to provide a copy of this Order to all counsel of record, and to place this matter among the ended causes.

Alexandria, Virginia
December 18, 2018


T. S. Ellis, III
United States District Judge